

Appl. No. 10/035,413  
Amdt. dated August 18, 2006  
Reply to Office Action of May 18, 2006

PATENT

### REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed May 18, 2006. Claims 4-31 and 35-73 were pending in the present application. This Amendment amends claims 4, 5, 8, 14, 19, 35, 39, 44, 48, 53, 62, 68, and 71-73; and cancels claims 27-31; leaving pending in the application claims 4-26 and 35-73. Reconsideration of the rejected claims is respectfully requested.

#### **I. Double Patenting Rejection**

Claims 4-31 and 35-73 are rejected under the judicially created doctrine of double patenting as being obvious over claims 14-33, 41-45, and 75-78 of U.S. Patent Application No. 10/040,397 (allowed but not yet issued). Although Applicants do not necessarily agree with the rejection, a timely filed terminal disclaimer in compliance with 37 CFR 1.321(b) accompanies this Amendment, in order to expedite issuance of the pending claims. As such, Applicants respectfully request that the rejection with respect to claims 4-31 and 35-73 be withdrawn.

#### **II. Rejection under 35 U.S.C. §103**

Claims 4-31 and 35-73 (claims 32-34 were previously canceled) are rejected under 35 U.S.C. §103(a) as being obvious over *Warren* (US 6,934,697) in view of *McCain* (US 5,916,310). Applicants respectfully submit that these references do not teach or suggest each element of these claims.

For example, Applicants' claim 4 as amended recites a system for generating a customizable application user interface, comprising:

an application development system configured to allow for the specification of a user interface element in the application user interface, the user interface element having a customizable immediate access keystroke combination associated therewith, the application development system being further configured to generate metadata characterizing the user customizable immediate access keystroke combination associated with the user interface element;  
a configuration system including a configuration engine and a configuration interface, the configuration interface configured to modify configuration data further characterizing the customizable immediate access keystroke combination in response to receiving input from a user defining the customizable immediate access keystroke combination, the keystroke combination for a function to be performed for the user interface element;

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a data repository including a data record for storing the configuration data, the data record being accessible using the metadata, the data record defining the function;  
 an application user interface generator configured to generate the application user interface in response to a request from a client device, the user interface generator configured to use the data record to determine a current state of the user customizable immediate access keystroke combination at substantially the time of the request and generate markup language including the current state of the user customizable immediate access keystroke combination; and  
 a web application server operable to deliver the generated markup language for the application user interface to the client device

(emphasis added). Such limitations are neither taught nor suggested by *Warren* and *McCain*.

*Warren* teaches a template-based customizable Internet access client user interface (col. 3, lines 19-26). *Warren* utilizes a template to define the "basic layout" of the interface, with the template typically being stored at the local (client) device, instead of being transferred with each session, in order to significantly reduce transfer time (col. 3, lines 19-26; col. 9, lines 54-67). The template typically is not sent again except in case of an upgrade (col. 3, lines 44-46). Each time the local device establishes a session with a Web server, the server sends program objects and resources to be inserted into assigned locations in the template, at which point the client device generates the interface using the template stored on the client and the objects and resources received from the server (col. 3, lines 41-49; col. 6, lines 15-29). The program objects and resources sent to the client device for each session can be determined based on information such as client data at the beginning of the session (col. 3, lines 50-64; col. 10, lines 1-52).

*Warren* thus stores a template on the client, and requires the client to be able to assemble and generate the user interface using the template with resources and objects sent from a Web server. *Warren* does not teach or suggest an application user interface generator, separate from the client, that determines a current state of a user interface element, particularly a user customizable immediate access keystroke combination, at substantially the time of the request, or the time the request is received by the user interface generator, and then generates the markup language for the interface based using the current state of the element, as well as a Web application server that sends the generated, customized markup language for the interface to the client, as recited in Applicants' claim 4. The embodiment in claim 4 has the advantage that all the determination of current states and generation of markup language for the interface is done at the server side, away from the client, so that the client does not have to include any application

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or instructions for generating the interface (other than standard browser technology, for example, for displaying HTML, etc.). In the device of *Warren*, the client has to store the template, receive the objects and resources from the server, then generate the interface using the template, objects, and resources. The client of *Warren* therefore requires the necessary instructions, memory, and processing ability to generate the interface, while the embodiment of Applicants' claim 4 allows the client to simply be a thin client that receives the markup language, generated by the server (or other server-side application, module, or UI generator) in response to a request from the client, and display the interface to the user. As *Warren* does not teach or suggest the limitations of claim 4 that provide for this interface customization and generation away from the client, *Warren* cannot render obvious Applicants' claim 4.

*McCain* does not make up for the deficiencies in *Warren* with respect to Applicants' claim 4. *McCain* teaches a system for enhancing keyboard functionality in an HTML document (col. 3, lines 54-57). *McCain* generates an HTML document including a script application and an applet to be executed on a browser of the client (col. 3, lines 57-62). Each press of the keyboard is intercepted and classified by the applet, which then invokes a key press action which provides predetermined functionality for the respective keypress (col. 2, line 64-col. 4, line 6; col. 5, line 59-col. 6, line 52). This allows a browser to perform certain functions, for example, that are assigned to function keys (F1-F12 on a standard keyboard) that otherwise are not utilized by a browser (col. 5, lines 38-58). *McCain* therefore teaches client-side execution of instructions to add functionality to a browser.

Although the Office Action on page 4 asserts that "a user can still assign one of these predetermined functions to a particular key making it a user customizable immediate access keystroke combination," it is respectfully submitted that there does not appear to be such teaching in *McCain*, implicitly or explicitly. Even, for sake of argument, if such assigning by the user is implied, such teaching still would not render obvious Applicants' claim 4, as *McCain* does not teach or suggest the customization and generation of markup language away from the client, in response to a request from the client and at substantially the time of the request, wherein an application generator determines a current state of a customizable element and generates markup language for the interface in response thereto to be transmitted to the client.

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*McCain* also does not teach or suggest, for example, a user assigning functions to various keyboard keys or user interface elements, then transmitting these assignments to be stored away from the client in a data repository, to be used in response to a request from the client to determine a current state of these assigned functions to generate an interface away from the client to be sent to the client. As such, *McCain* cannot render obvious Applicants' claim 4, either alone or in combination with *Warren*.

Further still, even if it were obvious to combine the teachings of *Warren* and *McCain*, the result still would not render obvious Applicants' claim 4. Combining the enhanced functionality of *McCain* with the system of *Warren* still would result in a template of *Warren* being stored at the client, with the client receiving the objects and resources to generate the interface at the client, even though the interface now would have additional functionality as set forth in *McCain*, as the user interface still would be generated and executing on the client. As such, Applicants respectfully submit that claim 4 cannot be rendered obvious by *Warren* and *McCain*, alone or in combination. The other pending claims recite limitations that similarly are not rendered obvious by *Warren* and *McCain*, for reasons including those recited above. Therefore, Applicants respectfully request that the rejections with respect to claims 4-31 and 35-73 be withdrawn.

### III. Amendment to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter.

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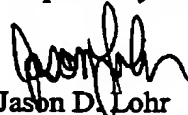
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**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
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